

computer loading photos.

Q. Okay. Um, what site were you on?

A. Facebook.

Q. Do you think that the taxpayers would appreciate funding a drop-in centre?

THE COURT: That is not relevant.

ANDREA ARMSTRONG: Q. Pregnant....

A. This is ridiculous.

THE COURT: We are not going to have taxpayers...

ANDREA ARMSTRONG: Okay.

THE COURT: ...coming in here to complain.

ANDREA ARMSTRONG: Okay, I would like to be able to recall this witness in the future.

THE COURT: No, you won't. You ask your questions now. If you have run out of questions, it is done. You are out of questions? Apparently, you are. Any re-examination for the Crown?

MS. EBERHARD: No.

THE COURT: Thank you. Please, leave. Your next witness for the Crown?

MS. EBERHARD: Thank you. Tami Taylor.

...PAGING TAMI TAYLOR.

ANDREA ARMSTRONG: I think the witnesses should be separated because of the contradictory evidence.

THE COURT: Well, we will see. I am told that there is some indication that you and one of the witnesses were talking to each other

for you to
search
single
men
on-line

Recall
Witness
REFUSED

Someone
pointed out
LORI & I
were speakin
because they
felt threaten

Prosecution Witness 1 Testimony: *Tami Taylor-Doherty*

74.
T. Taylor - in-Ch.

during the break. Is that true or untrue?
ANDREA ARMSTRONG: She - I called her this morning and asked her if she would come here and all we did was talk about the fact that she's gonna' be here for the break. No, she didn't go with me. I went to my van with my daughter and ex-husband and we just talked briefly about her being here...

THE COURT: Okay. That is fine.

ANDREA ARMSTRONG: ...because I didn't subpoena her. She came on her own.

THE COURT: All right. Please, be seated. Your next witness, please. Would you step up here, please, Madame?

COURTROOM CLERK: Just right into the box next to His Honour, please.

TAMI TAYLOR: SWORN

EXAMINATION IN-CHIEF BY MS. EBERHARD:

Q. Thank you, Ms. Taylor. Do you go by any other name? Tami, do you have another last name that you are known as?

A. Doherty.

Q. Can you spell that for the court?

A. D-O-H-E-R-T-Y.

Q. Okay. And is that a maiden name or is that a married name?

A. That was a married name.

Q. Okay.

THE COURT: You have returned to your birth name, have you;...

75.
T. Taylor - in-Ch.

A. I have.

THE COURT: ...Taylor? Thank you.

MS. EBERHARD: Q. Ms. Taylor, are you
currently working?

5 A. Yes, I am.

Q. Where do you work?

A. Our Space.

Q. And is that the name of a company or a
place or....

10 A. Our Space is a community drop-in centre.

Q. And who is the - who runs the community
drop-in centre? In other words, what's the association or
organization that runs it?

A. Peterborough Social Planning Council runs
it.

15 Q. And what do you do there?

A. I'm a support worker.

Q. Where is Our Space located?

A. 217 Murray Street in the basement

Q. That's in Peterborough?

20 A. Yes, it is.

Q. And how long have you worked there for?

A. Since December 15th, 2008.

THE COURT: Would that be in the old Legion
Hall?

25 A. Yes, it is.

THE COURT: A lovely place. Carry on.

MS. EBERHARD: Q. How many hours do you
generally work?

A. Forty, fifty.

30 Q. And what is your role as a support worker?

A. To support the clients that come there.

JUDGE
NOT
IMPARTIAL.
Showing
favouritism

Q. How do you do that?

A. Depends on the client.

Q. Okay. And when you say clients, who do you consider to be a client?

5 A. Any person who comes and uses the drop-in centre.

Q. And the drop-in centre would have available what sort of services or resources for someone to come in and use?

10 A. We have, uh, - we have a bunch of different things. Um, we can hook people up with, uh, Ontario Works, disability, um, rehab. for different things, housing, help them do, uh, resumes. Uh, we serve food there.

Q. Okay. And were you working on February the 10th, 2009?

15 A. Yes, I was.

Q. And what was your job on that day? Again, were you working as a support worker?

A. Yes, I was.

20 Q. All right. And there is an allegation before this court of an occurrence concerning Ms. Armstrong. Did you make any observations of Ms. Armstrong at Our Space, the community drop-in, on February the 10th, 2009?

A. Yes, I did.

25 Q. Okay. Can you tell us - tell this court about your observations?

A. What I seen?

Q. What you saw, yes.

A. I seen Ms. Armstrong enter Our Space.

Q. At what time?

30 A. That would be, uh, after 6:00 p.m.

Q. Long after? Short after? Like within

77.
T. Taylor - in-Ch.

minutes of 6:00 p.m.?

A. Not sure the exact time.

Q. Between 6:00 and 7:00 p.m. Is that fair?

A. It was between 6:00 and 7:00 p.m.

5 Q. Okay. And what happened - did you make
any other observations after you saw her enter?

A. Yes. She entered the doorway, came in
and, uh, walked towards another female, started shouting and
pushed her.

10 Q. What did you - what do you recall her
shouting? Do you recall anything, in particular?

A. I recall her shouting that she was a liar,
that she was a thief.

Q. And, first of all, did you know it was Ms.
Armstrong when she walked in?

15 A. I'm sorry?

Q. Did you know it was Ms. Armstrong when she
walked in the room? Did you recognize her?

A. That was the first time I've ever seen
her.

20 Q. Oh, so you - you didn't have a
relationship with Ms. Armstrong before this incident?

A. No, I did not.

Q. Okay. And you see her shouting - you hear
her shouting. Who is - in your own observation - your
25 observations, who was she shouting at?

A. She was shouting at Rachel.

Q. Rachel?

A. Carkner.

Q. Okay. And what was Rachel Carkner doing?

30 A. Sitting in front of a computer.

Q. All right. And where were you located?

A. I was about 10 feet away in a cubicle which we use as our office.

Q. And is there an unobstructed or obstructed view from your cubicle to where Ms. Carkner was sitting?

A. Depends whether you're standing or sitting.

Q. And what were you doing?

A. Standing.

Q. Okay. And did you - were you able to clearly see Ms. Carkner?

A. Yes, I was.

Q. All right. And you hear the shouting. You see her walk over towards to Ms. Carkner. Then what do you see?

A. I see Ms. Armstrong pushing Rachel.

Q. How did she push Rachel?

A. Like this...

Q. Okay.

A. ...with two hands to the chest area.

Q. Two hands to the chest area?

A. That's what I seen.

Q. So, in your recollection, do you - was Ms. Carkner facing Ms. Armstrong?

A. Not when she walked in the door. She didn't see her come in the door. She was kinda' sitting sideways in the computer chair...

Q. Okay.

A. ...like facing the computer so she wouldn't see her come in the door.

Q. Okay. And did you observe, without interruption, Ms. Armstrong walk over and then make contact with Ms. Carkner?

*Alleged vict
testified s/
was
pushed or
the back.*

A. Yes, I did because the door's right there.
The office is right beside the door that everybody comes in.
You see everybody that walks through the door if you're
standing in the office.

5 Q. Okay. What direction was Ms. Carkner
sitting when she was pushed? Was she facing the computer?
was she facing away from the computer?

Leading the
witness
"back"

A. She was kind of on an angle. Because
was pregnant, the way she was sitting, it was kind of
10 angle.

Q. All right. And you - and did Ms.
Armstrong push her, in your observations, from the back or at
an angle or from the front?

A. More in the front area because when I seen
Rachel's body move, it was more like this.

15 Q. Okay. You're - you have - for the record,
you have both hands on your left - right...

A. Yeah.

Q. ...chest...

A. Yeah, right.

20 Q. ... - part of your chest and...

A. Yeah.

Q. ...you're motioning backwards.

A. That's what I seen was Rachel move
backwards.

motioning
BACKWARDS

25 Q. Did you see Ms. Carkner fall off her
chair?

A. I did not.

Q. Okay. What happened immediately after?

A. I started approaching both Rachel and Ms.
30 Armstrong immediately as when I seen that, stood in between
the two of them.

NO
articulation

T. Taylor - in-Ch.

Q. Did you see anything else?

A. Not at that point, no.

5 charger?

A. I did not.

Q. Okay. Did you see a bag?

A. Yes.

Q. Okay. And where was the bag located?

A. Sitting beside Rachel on the floor.

10 have come to Ms. Carkner as a result of the incident?

A. I didn't see a physical injury.

Q. Okay. What happened when you approach and you get to the two individuals?

15 A. Um, Rachel's now crying hysterically. Ms. Armstrong's yelling.

Q. What is she yelling?

A. Pardon me?

Q. What is she yelling?

20 A. She's still yelling at Rachel that she's a liar and a thief and, uh, she had something that belonged to her and....

Q. Then what happened?

A. Rachel left to go to the - the women's washroom...

25 Q. Yes.

A. ...and, uh, I tried to calm Ms. Armstrong down for a couple of minutes...

Q. Okay.

30 A. ...just saying, you know, "This isn't appropriate. Your kids are here. Rachel's pregnant."

Q. Ms. Armstrong walked in with her children?

T. Taylor - in-Ch.

A. Yes.

Q. How many children?

A. Two.

Q. And their approximate ages?

A. Seven and 12, maybe.

Q. And were they with Ms. Armstrong when

incident occurred when you saw it occur?

A. Yes, they were.

Q. All right.

A. They were standing to her left; the oldest

one and then the youngest one.

Q. All right. What happened after you tried to calm her down?

A. She wouldn't calm down so I went into the women's bathroom to make sure Rachel was okay. There was another female staff on, as well, so she stayed out in the other area.

Q. All right. Then what happened?

A. I was in the bathroom with Rachel. Rachel was, uh, in one of the stalls sitting on a toilet crying and she was on the phone. She had called 911.

Q. Okay. Then what did you observe?

A. Um, I just tried to calm Rachel down, make sure that she was okay.

Q. And then what happened?

A. Um, after a few minutes, I poked my head out the door to see what was going on out in our other area...

Q. Yes.

A. ...and, um, Andrea wasn't out there at that point, so I brought Rachel out into my office.

Q. Okay. Then what happened?

R A Chelsea
Penny

Positioning.

STANDING
to my
RIGHT

went in
Martha
asked
her to
my?
about
escape
out
window

No
mention
of yelling
or getting
in
bathroom

No
threat

If my kids
were on my
left side
they would
be in between
Rachel & I

82.
T. Taylor - in-Ch.

A. Um, at that point, um, Andre.
for about 20 minutes and, um, she came back in, we
women's washroom, stayed in there for awhile, came in.
Eventually, she left with her kids. I stayed, basically in
the office with Rachel.

Q. Okay. And did you give a statement to the
police?

A. Yes, I did.

Q. On that day or at a different time?

A. Um, a different time. I wrote out a
statement that day. I wrote something but then at a
different time, the police officer came back and talked to
me.

Q. Okay. All right.

ANDREA ARMSTRONG: I don't think I have a
second statement from her. (ignored)

MS. EBERHARD: Q. When you say that you
wrote something down,....

A. The police officer left me a piece of
paper to fill out.

Q. Okay. And - and that was asking for your
statement concerning the incident,...

A. Yeah.

Q. ...right, and then did you give that to
the officer?

A. Yeah, he came back and got it...

Q. Okay.

A. ...another day.

Q. All right. So you....

ANDREA ARMSTRONG: So it's just this one.

MS. EBERHARD: write out one
statement and then hand it in?

Statement
written
out at home
ever how
many days?

Not
entered
as
evidence
DISCLOSED

Why cop
talk to
you
about
what?

Missing
Incident
Report

TWO
Statements

Is it
standard
procedure
for police statement
to be taken up
this way?

83.
T. Taylor - in-Ch.
T. Taylor - cr-Ex.

A. Yes.

Q. Okay. And did you make any changes to
that station - statement at any time?

A. From the original?

Q. Yeah. Like did you ever go back to the
police station and change your story?

A. No, no.

Q. Okay. All right. I have no further
questions.

THE COURT: Cross-examination.

CROSS-EXAMINATION BY ANDREA ARMSTRONG:

Q. Have you ever testified in court bef

A. No, I have not.

Q. Do you know what the penalties are u
the Criminal Code regarding making false statements and
perjury?

THE COURT: She does not have to know th
She is under oath.

ANDREA ARMSTRONG: Okay. Q. What...

THE COURT: It is an improper....

ANDREA ARMSTRONG: ...level of education....

THE COURT: That is an improper question. I
would never allow a lawyer to ask that.

ANDREA ARMSTRONG: Okay. Q. What level of
education do you have?

A. College.

Q. Is your position at Our Space a paid or
volunteer position?

A. Paid.

Q. And what type of training and experience
do you have to, uh, - that qualifies you for working with

Charles
made
when
police
added

why does she
not have to
know the
Penalty?

(1a, 1b)

2008 4 1
P. 75

people in the community that have these mental health issues and whatever else?

A. I've been 16 years in the Human Services field. I've worked at Canadian Mental Health for several years, followed the warming room for several years.

Q. Okay. Now, where were you, apparently, when I first came into the room?

A. I was standing in the office area which is right to your right of the door.

Q. And were you on the telephone?

A. No.

Q. And where was Mary Lou Green at the time?

A. I'm not sure.

Q. Wasn't she the one that was standing in between me?

A. Uh, immediately when it happened, it was me. I was actually standing and I put my hand on your shoulder and was talking very quietly to you.

Q. Do you remember what Mary Lou Green said to you to make you go into the bathroom?

A. No.

Q. Do you remember her - me telling that I heard a noise in the bathroom and I'd like them to go check and see if Rachel's going to get out a window?

A. No. There's no windows in there.

Q. Yeah, that's exactly what they said. Um, um, I think in one of your statements, you stated that, um, the push from the front, um, caused a backward motion. How did she fall? Like did she fall sideways kind of or straight back into the chair or what?

A. No, all I seen was her body jerking like that.

car was
sitting
on
phone

But she
did say
something

Q. Okay.

THE COURT: Showing a rocking back motion,
for the record. Thank you.

5 ANDREA ARMSTRONG: Q. Did you see me when I
was bent over beside the computer chair attempting to get the
item out of the bag when you had an office divider in your
way?

A. No.

10 Q. What side of the computer was I allegedly
on?

A. The right side.

Q. After I'd left the second time after going
out for my cigarette, did you see me come back at all or
drive around...

15 A. I didn't see you....

Q. ...at all?

A. I didn't see you enter the building again,
no.

Q. Did you think it was suspicious that, um,
Rachel was hiding the phone charger?

20 A. I didn't know that she was hiding a phone
charger?

Q. And you didn't help her hide the phone
charger?

A. No.

25 Q. Um, why did you have to take her into the
men's bathroom?

A. We were in the....

Q. Was she going in there to hide anything
else?

30 A. We were in the female bathroom.

Q. When I was coming out of the woman's

No
fall on
loss of
balance

Victim
Blocked
Reynolds
after hit
not on
us

No mention
of Green
going out
or martin
drink
signal

bathroom, you and Rachel were seen coming out of the men's bathroom...

A. She....

Q. ...giggling and laughing.

5 A. She needed to use the bathroom. That was the only washroom to take her to safely at that point.

Q. After she had just been in the other bathroom...

A. She didn't....

10 Q. ...15 minutes ago?

A. She didn't use the bathroom. She....

Q. So...

A. She just sat in there.

Q. ...she spent the time in there hiding the charger then? Okay. Um,....

15 THE COURT: You know?

A. No, I never seen the charger.

ANDREA ARMSTRONG: Q. At any time, did you see me with the phone charger or wallet in my hand?

A. No, I did not.

20 Q. Did any of these items fall on the floor?

A. Not that I seen.

Q. Is it not possible that you missed Ms.

Carkner assaulting me while I'm bent over the computer chair because her chair was in the way? Could you have missed seeing her hit me first to get to her bag?

A. I had plain view from the time they came in the door. I don't know how I would have missed that.

Q. So at the only time - you're saying that, at one point, there was a push. Are you saying that was just the one push and that's the end of the whole thing and there was no other physical contact after that?

working freely around not hiding in bathroom

mention of call to 911

Not according to other testimony

8'
T. Taylor

See wrist hold
or bag
grab!

A. I didn't see any other physical contact.

Q. Okay.

A. I only seen the push.

5 Q. So if she - since you had such a good
view, if she, um, - if one of us had grabbed each
wrist or done anything like that, you would
because you had a clear view, right?

DID NOT

A. Uh, I might not have seen
my out of the office to approach where you gu

See whole
incident

10 Q. Okay. Which way was Rachel when I,
apparently, pushed her on the chair? Was she twisted more to
the left or was she twisted more to the right?

A. More to the right.

Q. At one point, Carkner grabbed the bag from
me. Did you ever interpret this as a push or a hit or a
15 shove or anything like that?

A. I didn't see that.

Q. Didn't see that. Your statement says that
staff took Rachel in the washroom. Who do you mean by staff?

A. Myself.

20 Q. Oh, at one point, um, Ms. Carkner brought
out a wallet and was showing hospital bracelets. Why do you
think she would have done that?

THE COURT: Well, did you see that?

25 ANDREA ARMSTRONG: Q. Oh, yes, did you see
that?

THE COURT: No, just a moment. Did you see
Ms. Carkner do that?

A. Yes, I did.

THE COURT: Okay.

30 ANDREA ARMSTRONG: Q. And was that in
response to something I had said to her?

No
extrication

She
said
there
was no
other
physical
contact

Judge not
guiding
evidentiary
entry

Did NOT see "wrist-hold" or "bag grab",

Should not even know about wrist-hold, police did not
separate witnesses

88.
T. Taylor - cr-Ex.

PERJURY
he was
not in the
same room.

A. I don't know why she brought...

Q. You were not...

A. ...them out.

Q. ...close enough to hear any verbalizations

5 between...

A. I....

Q. ...the two of us?

A. I didn't hear anything that you said. I
know she said that they were proof that she had been in the
10 hospital.

No Screaming

No
contradiction
to
the
bathroom

Q. I understand that there was a gentleman
there that night. I believe, his first name may be Chris
and, apparently, he's your boyfriend?

A. Yes, could be.

defensive

15 Q. He was a witness to this also and refused
to speak to police for me.

A. He was upstairs when it happened.

Q. Was he really?

A. Yeah.

Q. It's interesting you say that.

PERJURY
missing
incident
report

20 THE COURT: Well, I am sure you....

ANDREA ARMSTRONG: Can I call two witnesses?

THE COURT: I am sure you will have someone
here to contradict that, so carry on.

LORI
SAINT

25 ANDREA ARMSTRONG: I do. If some - if she
could...

THE COURT: That is fine.

30 ANDREA ARMSTRONG: ...give me the last name
of that person, I'd be glad to do a subpoena
right now. He's in this courtroom. I'd like
to subpoena him and I have a rebuttal witness
waiting for me that witnessed a conversation

Tami's boyfriend Chris was in the same room, a few feet
behind me, between me and the office divider, Green to our
left

89.
T. Taylor - cr-Ex.

with him and me.

THE COURT: Just carry on with the questions.

ANDREA ARMSTRONG: Q. Oh, and where was Mary

Lou when, um, this push, apparently, happened to me?

A. I don't know.

Q. Was she in the office area, by the computer, by the doorway?

A. I don't know.

Q. You don't know where she was? Okay.

10 Sorry, I don't do shorthand. What did you and Ms. Carkner discuss in the office area?

A. What did we discuss while she was sitting in the office area? About her bein' pregnant.

Q. Was she trying to get her story straight for the police?

A. No.

Q. I won't ask a question, but you won't like it so I'll be nice, okay?

THE COURT: Ask the....

ANDREA ARMSTRONG: I'll go to the next one.

THE COURT: All right.

20 ANDREA ARMSTRONG: Okay. Q. Um, at what point, um, did Rachel go into the bathroom?

A. How long after this little incident did she go into the bathroom? Within five minutes. It wasn't
25 that long.

Q. And did she walk, crawl, run?

A. She hurried to the washroom.

Q. Were my children crying at any point?

A. Not that I observed.

30 Q. But you say you - oh, you took her into the men's washroom to go to the bathroom, right?

Count
Refused
my rebuttal
witness.
NO GUIDANCE

Refu

Avoiding
Answer

Full
Answers
Defense

Impounded
not about

Not
extraordinary

A. Yes.

Q. You also stated that I continued to yell after staff approached me. Isn't it true that, in fact, I calmly sat down at the computer desk and closed out Carkner's Space Book's account and I never yelled. After the initial statement, I yelled when, uh, Rachel first - we had our first scuffle?

THE COURT: Now, how is she going to work out all of that question? Break it up into pieces.

ANDREA ARMSTRONG: Q. Okay. You stated that I continued to yell after staff approached me. What did I continue to yell about?

A. There was several things you were yelling about. I, specifically, remember placing my left hand on your right shoulder and just talking really quietly saying, "This isn't appropriate. She's pregnant. Your children are here."

Q. Uh, what tone of voice was I yelling in? Was it high pitched, normal or really deep?

A. Just a loud voice.

Q. Have you ever experienced anyone having a PTSD or an anxiety attack?

A. Yes, I have.

Q. Do you think I was having one that day?

A. I would have no way of knowing that.

Q. As a trained social worker, you should but, anyway.

THE COURT: Well,....

ANDREA ARMSTRONG: Q. So you, obviously, haven't been trained to deal with crisis intervention and....

THE COURT: Oh, now....

91.
T. Taylor - cr-Ex.

A. I have.

ANDREA ARMSTRONG: Q. Okay.

THE COURT: Just move on.

5 ANDREA ARMSTRONG: Q. Okay. Um, just let me
check one more thing. And you say you were about 10 feet
from the computer area?

A. Yes.

Q. Okay. That's all. Thank you.

THE COURT: Any re-examination?

10 MS. EBERHARD: No.

THE COURT: Thank you. You are free to go.
Please, do not discuss your evidence with any
other person or witness until we know the
whole thing is over, particularly, with - I
gather, there is going to be another witness
15 from....

MS. EBERHARD: Yes, Mary Louise Green.

THE COURT: Yes. So make a point - if she
wants to talk to you, you tell her that the
mean, old judge....

20 A. Yeah, am I allowed to go - go now or
just...

THE COURT: Yes, I would just...

A. ...leave the room now?

THE COURT: ...get the heck out of here.

25 A. Thanks.

MS. EBERHARD: Perhaps, it would be a good
time to take the lunch break.

THE COURT: We will break for lunch now and
resume at - on that clock 2:08.

30
R E C E S S

